



## Board Report

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**File #:** A 20-036, **Version:** 1

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- a. Approve Amendment No. 8 to Professional Services Agreement No. A-12755, Multiyear Agreement #3000\*364, with ES Engineering Services, LLC dba Montrose Environmental Solutions, a wholly owned subsidiary of Montrose Environmental Group, Inc. (formerly ES Engineering Services, LLC, a Delaware Limited Liability Company) for continued on-call landfill monitoring services, increasing the not-to-exceed amount by \$198,745, for a total amount not to exceed of \$698,745, and extending the expiration date for one (1) additional year through March 21, 2021, for a revised term from March 21, 2012 to March 21, 2021; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 8 to Professional Services Agreement No. A-12755.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 8 to Professional Services Agreement No. A-12755, Multiyear Agreement #3000\*364, with ES Engineering Services, LLC dba Montrose Environmental Solutions, a wholly owned subsidiary of Montrose Environmental Group, Inc. (formerly ES Engineering Services, LLC, a Delaware Limited Liability Company) to continue to provide on-call landfill monitoring services increasing the not-to-exceed amount by \$198,745, for a total amount not to exceed of \$698,745, and extending the expiration date for one (1) additional year through March 21, 2021, for a revised term from March 21, 2012 to March 21, 2021; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 8 to Professional Services Agreement No. A-12755.

### SUMMARY:

The Resource Management Agency (RMA) established several on-call agreements for specialized services when County staff requires special expertise or when the volume of work exceeds staff's capacity to handle it. On-call agreements are utilized across the RMA and by other County Departments for specialized expertise as needed for specific operations, management, and facility and capital projects.

In 2012, a Request for Qualifications (RFQ) was issued for professional services to assist with monitoring and reporting for County-owned closed landfills. Attachments A and B provide summaries of the agreement to date. Staff finds that outside technical support services are still required, and RMA is proceeding with a new RFQ to solicit interest in providing these services.

Staff recommends that the Board of Supervisors approve the proposed Amendment No. 8 (Attachment C) for the continued provision of on-call landfill monitoring services. Amendment No. 8 increases the not-to-exceed Professional Services Agreement (PSA) amount of \$500,000 by \$198,745, for a total amount not to exceed of \$698,745, and extends the expiration date from March 21, 2020, by one (1) additional year through March 21, 2021, for a revised term from March 21, 2012 through March 21, 2021, beyond the anticipated five (5) year PSA term allowed per RFQ #10249, while County staff works to procure these services under a new RFQ. This RFQ process will be implemented prior to the expiration of the proposed Amendment No. 8. Attachments D through L include the original PSA and Amendments 1 to 7 for reference.

The Contractor is currently preparing the Lake San Antonio South Shore Level 1 Exceedance Response Action

(ERA) Report. This report may identify reporting and monitoring requirements which will be added to the RFQ that RMA plans to release this fiscal year.

DISCUSSION:

State regulations require monitoring and reporting for three (3) of the ten (10) County owned closed landfills for up to thirty (30) years after closure. Pending the recommendations of the Lake San Antonio-South Shore report scheduled for release soon, the South Shore closed landfill facility may also be subject to state regulations for monitoring and reporting. Additionally, the statewide Industrial General Permit which was adopted by the State effective July 1, 2015, requires more frequent monitoring events and revisions to the Storm Water Pollution Prevention Plan (SWPPP). Therefore, RMA has identified a need for ES Engineering to continue to provide services associated with on-call landfill management and assist RMA Special Districts staff in areas related to State and Federal mandates for landfill site inspections, stormwater and groundwater testing, annual detection monitoring reports, as well as analysis and strategies for continued administration of closed landfills within regulatory parameters.

The RMA has been made aware of outstanding regulatory reports required for the previously closed landfill located at Lake San Antonio South Shore. This includes submittals of updated closure plan revisions and overdue Non-Water Corrective Action plan. Annual inspections and reporting will likely be required for this landfill, similar to those now required at the Bradley, Lake San Antonio North Shore, and San Ardo closed facilities.

A separate ad hoc ERA report is also required to address increased Total Suspended Solids (TSS) from water quality tests and Lake San Antonio North Shore. This additional report shall also be prepared by ES Engineering.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller have reviewed and approved Amendment No. 8 as to form and fiscal provisions, respectively.

FINANCING:

Costs associated with Amendment No. 8 are anticipated to be incurred over the next two (2) fiscal years, FYs 2019-20 and 2020-21. The FY 2019-20 Adopted Budget Fund 001, Department 3000, Unit 8175, Appropriation Unit RMA039, Account 6613 for Other Professional & Other Services includes \$80,256 for County Disposal Sites. An additional \$38,489 was appropriated for the completion of two (2) additional reports for Lake San Antonio (North Shore and South Shore) for a total anticipated amount of \$118,745 to be expended by ES Engineering in FY 2019-20.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Continuing ES Engineering services by approving Amendment No. 8 will allow for the best environmental practices for County facilities and operations and ensure proper adherence of mandated inspections, storm and groundwater testing, and reporting related to the operations and maintenance of the closed landfills.

Economic Development  
Administration  
X Health & Human Services  
Infrastructure  
X Public Safety

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Approved by: Shawne E. Ellerbee, RMA Deputy Director of Administrative Services  
Approved by: Carl P. Holm, AICP, RMA Director

**Attachments:**

Attachment A-Summary of PSA  
Attachment B-Summary of PSA Annual Expenditures and Balance  
Attachment C-Amendment No. 8 to PSA  
Attachment D-Amendment No. 7 to PSA  
Attachment E-Amendment No. 6 to PSA  
Attachment F-Amendment No. 5 to PSA  
Attachment G-Agreement and Consent to Assignment of PSA  
Attachment H-Amendment No. 4 to PSA  
Attachment I-Amendment No. 3 to PSA  
Attachment J-Amendment No. 2 to PSA  
Attachment K-Amendment No. 1 to PSA  
Attachment L- PSA